
By: **Senator Giannetti**

Introduced and read first time: February 12, 2004

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Services - Step-Down Aftercare**

3 FOR the purpose of requiring a child discharged from a committed residential
4 placement to receive certain step-down aftercare for a period to be determined
5 by the Department of Juvenile Services; requiring a child in a step-down
6 aftercare program to receive certain services; requiring a step-down aftercare
7 team to perform certain duties; requiring a child placed in step-down aftercare
8 to receive an appropriate education from the State Department of Education;
9 requiring the Department of Juvenile Services to keep certain records; requiring
10 the State Department of Education to make certain determinations of certain
11 amounts owed to the State Department of Education by certain counties;
12 requiring a certain county to reimburse the State Department of Education
13 under certain circumstances; requiring the State Department of Education to
14 take certain actions; authorizing an appeal of a certain determination by the
15 State Department of Education to the State Superintendent of schools; requiring
16 the State Superintendent to decide certain appeals; requiring county boards of
17 education to provide certain data to the State Superintendent; authorizing the
18 State Superintendent to make certain deductions from certain payments of
19 State aid to certain counties in a certain amount; defining certain terms; and
20 generally relating to juvenile services.

21 BY adding to
22 Article 83C - Juvenile Services
23 Section 2-127.1 and 2-127.2
24 Annotated Code of Maryland
25 (2003 Replacement Volume)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
27 MARYLAND, That the Laws of Maryland read as follows:

1 **Article 83C - Juvenile Services**

2 2-127.1.

3 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
4 INDICATED.5 (2) "STEP-DOWN AFTERCARE" MEANS A PROGRAM IN WHICH
6 INDIVIDUALIZED SERVICES AND SUPERVISION, INCLUDING EDUCATIONAL AND
7 REHABILITATION SERVICES AND TREATMENT, ARE PROVIDED BY THE DEPARTMENT
8 TO CHILDREN WHO ARE COMMITTED TO THE CUSTODY OF THE DEPARTMENT AND
9 WHO ARE DISCHARGED FROM A RESIDENTIAL PLACEMENT TO EASE THE
10 TRANSITION OF THE CHILDREN FROM THE CUSTODY OF THE DEPARTMENT TO THEIR
11 HOMES AND COMMUNITIES.12 (3) "STEP-DOWN AFTERCARE PLAN" MEANS AN INDIVIDUALIZED PLAN
13 FOR EACH CHILD IN STEP-DOWN AFTERCARE THAT PROPOSES SPECIFIC
14 ASSISTANCE, GUIDANCE, TREATMENT, SERVICES, AND SUPERVISION.15 (4) "STEP-DOWN AFTERCARE TEAM" MEANS A GROUP OF CHILD
16 WELFARE PROFESSIONALS EMPLOYED BY THE DEPARTMENT AND ASSIGNED TO A
17 PARTICULAR CHILD IN STEP-DOWN AFTERCARE TO:18 (I) PREPARE THE CHILD FOR REENTRY INTO THE SPECIFIC
19 COMMUNITY TO WHICH THE CHILD WILL RETURN;20 (II) ENSURE THE DELIVERY OF PRESCRIBED SERVICES TO THE
21 CHILD IN THE COMMUNITY; AND22 (III) MONITOR CONDUCT IN THE COMMUNITY TO ENSURE PUBLIC
23 SAFETY.24 (B) (1) A CHILD DISCHARGED FROM A COMMITTED RESIDENTIAL
25 PLACEMENT SHALL RECEIVE STEP-DOWN AFTERCARE FOR A PERIOD TO BE
26 DETERMINED BY THE DEPARTMENT.

27 (2) A CHILD IN STEP-DOWN AFTERCARE SHALL RECEIVE:

28 (I) A STEP-DOWN AFTERCARE PLAN;

29 (II) SUPERVISION BY A STEP-DOWN AFTERCARE TEAM;

30 (III) EDUCATIONAL TRAINING OUTSIDE OF THE PUBLIC SCHOOL
31 SYSTEM IMMEDIATELY FOLLOWING DISCHARGE FROM THE COMMITTED
32 RESIDENTIAL PLACEMENT FOR A PERIOD TO BE DETERMINED BY THE STEP-DOWN
33 AFTERCARE TEAM; AND34 (IV) ANY OTHER SERVICES NECESSARY TO IMPLEMENT THE
35 STEP-DOWN AFTERCARE PLAN.

36 (C) THE STEP-DOWN AFTERCARE TEAM SHALL:

1 (1) PREPARE A STEP-DOWN AFTERCARE PLAN FOR EACH CHILD IN
2 AFTERCARE ASSIGNED TO THE STEP-DOWN AFTERCARE TEAM AND FILE THE PLAN
3 WITH THE DEPARTMENT;

4 (2) KEEP REGULAR RECORDS CONCERNING THE PROGRESS OF EACH
5 CHILD;

6 (3) FILE A MONTHLY PROGRESS REPORT ON EACH CHILD WITH THE
7 DEPARTMENT; AND

8 (4) FILE AN ANNUAL REPORT ON THE OUTCOME OF STEP-DOWN
9 AFTERCARE PLANS FOR THE CHILDREN ASSIGNED TO THE TEAM, THAT SHALL
10 INCLUDE:

11 (I) INFORMATION ON THE NUMBER OF CHILDREN WHO:

12 1. ARE REARRESTED;

13 2. ARE REARRESTED AND CHARGED WITH SERIOUS OR
14 VIOLENT OFFENSES;

15 3. ARE REARRESTED AND WAIVED TO THE ADULT SYSTEM;

16 4. ARE RE-REFERRED TO THE DEPARTMENT;

17 5. ARE READJUDICATED AND RECOMMITTED;

18 6. GRADUATE FROM HIGH SCHOOL OR SUCCESSFULLY
19 COMPLETE A HIGH SCHOOL EQUIVALENCY EXAMINATION; AND

20 7. ARE EMPLOYED; AND

21 (II) OTHER RELEVANT INFORMATION.

22 2-127.2.

23 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
24 INDICATED.

25 (2) "FINANCIALLY RESPONSIBLE COUNTY" MEANS:

26 (I) THE COUNTY WHERE THE PARENT OR LEGAL GUARDIAN OF A
27 CHILD IN THE CUSTODY OF THE DEPARTMENT RESIDES; OR

28 (II) IN A FAMILY IN WHICH THE PARENTS OF THE CHILD LIVE
29 APART:

30 1. THE COUNTY WHERE THE PARENT WHO HAS BEEN
31 AWARDED CUSTODY OF THE CHILD RESIDES; OR

1 (4) THE STATE SUPERINTENDENT OF SCHOOLS SHALL DECIDE ALL
2 APPEALS MADE UNDER PARAGRAPH (3) OF THIS SUBSECTION AND MAKE A FINAL
3 DETERMINATION REGARDING THE FINANCIALLY RESPONSIBLE COUNTY FOR EACH
4 CHILD IN THE CUSTODY OF THE DEPARTMENT.

5 (5) THE COUNTY BOARDS OF EDUCATION SHALL PROVIDE THE STATE
6 SUPERINTENDENT OF SCHOOLS WITH THE DATA NECESSARY TO COMPUTE THE
7 LOCAL CURRENT EXPENSE PER STUDENT UNDER SUBSECTION (A) OF THIS SECTION
8 ON AN ANNUAL BASIS.

9 (6) IF A FINANCIALLY RESPONSIBLE COUNTY FAILS TO MAKE THE
10 REQUIRED PAYMENT TO THE STATE DEPARTMENT OF EDUCATION, THE STATE
11 SUPERINTENDENT OF SCHOOLS SHALL:

12 (I) DEDUCT FROM THE NEXT PAYMENT OF STATE AID TO THE
13 FINANCIALLY RESPONSIBLE COUNTY AN AMOUNT EQUAL TO THE AMOUNT OWED
14 UNDER THIS PARAGRAPH; AND

15 (II) PAY THOSE FUNDS TO THE STATE DEPARTMENT OF
16 EDUCATION.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2004.